

Document No. 3778  
Voted at Meeting of 5/3/79

MEMORANDUM

MAY 3, 1979

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT J. RYAN, DIRECTOR

SUBJECT: ZONING TEXT AMENDMENT RELATING TO PAYMENTS IN LIEU OF TAXES  
BY TAX EXEMPT INSTITUTIONS

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That Boston's financial position is seriously damaged by large holdings of land by tax exempt institutions is a well known fact. The City has tried to mitigate the situation, or at least prevent further erosion of the tax base, by negotiating agreements for payments, in cash or in services, in lieu of taxes.

The attached petition which has been approved as to form by the Chief General Counsel, would formalize a practice already in existence by making such agreements an additional condition to the conditions now required by the Zoning Code for the granting of conditional use permits, variances or exceptions. This requirement would apply to applicants who are tax exempt under Chapter 59 of the Massachusetts General Laws.

It is further proposed that the procedures for arriving at such agreements be formalized. The agreements would be negotiated by a Tax Base Conservation Committee under the direction of Vice-Mayor Edward T. Sullivan.

Guidelines are currently being prepared by the BRA staff for adoption by said Committee that will establish criteria for the kind and amount of payments to be made.

I recommend that the Authority authorize the Advisor to the Zoning Commission to petition said Commission for an amendment to the Boston Zoning Code as set forth in the attached petition, or in substantial accord with said petition.

VOTED: That the Boston Redevelopment Authority hereby authorizes the Advisor to the Zoning Commission of the City of Boston to petition said Commission for an amendment to the Boston Zoning Code which would add to the conditions required for the approval of a conditional use, variance or exception, a new condition that in the case of a tax-exempt institution, a written agreement respecting payment or services in lieu of taxes has been entered into by such institution and the City of Boston.

Text Amendment Application No.  
Advisor to the Zoning Commission  
Payment or services in lieu of taxes  
required for granting of conditional  
uses, exceptions and variances

TO THE ZONING COMMISSION  
OF THE CITY OF BOSTON:

The Advisor to the Zoning Commission hereby petitions to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956 as amended, as follows:

1. By inserting at the end of Section 6-3, respecting conditions required for approval of a conditional use, the following condition:
  - (f) in the case of a tax-exempt institution, a written agreement has been entered into by such institution and the City of Boston to compensate the City with money or services for the municipal services used by the institution.
2. By inserting at the end of Section 6A-3, respecting conditions required for an exception, the following condition:
  - (c) in the case of a tax-exempt institution, a written agreement has been entered into by such institution and the City of Boston to compensate the City with money or services for the municipal services used by the institution.
3. By inserting below condition (c) of Section 7-3, respecting conditions required for a variance, the following condition:
  - (d) in the case of a tax-exempt institution, a written agreement has been entered into by such institution and the City of Boston to compensate the City with money or services for the municipal services used by the institution.

Petitioner: Advisor to the Zoning Commission

By: \_\_\_\_\_

Address: City Hall, 9th Floor  
Boston, Massachusetts 02201

Tel. No.: 722-4300

Date: \_\_\_\_\_

